

MICHAEL JACK

Plaintiff

and

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO et al.

Defendants

Court File No. CV-13-476321

22/04/13

*I stand for the OPP
I. Compagnone for the Queen
Mr. Jack not his attorney,
but agent of Opp attorney*

*This court rules that this
action # CV-13-476321 and action
CV-12-470815 be consolidated and
that they proceed as one action.
No costs are awarded for this
motion.*



ONTARIO
SUPERIOR COURT OF JUSTICE
Proceeding commenced at Toronto
MOTION RECORD OF THE MOVING PARTY,
HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO et al

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Right of Ontario and its employees.

MICHAEL JACK

Plaintiff

- and -

ONTARIO PROVINCIAL POLICE ASSOCIATION et. al.

Defendants

22/04/13

*Pl. Present for the CPPA
Pl. Compromise for the Crown
Pl. Took not appearing, but
agent Pl. App in attendance*

*This action, brought by the P,
is a complex, multi-faceted legal
claim, alleging defamation & discrimination
as against the Do. There are 2
motions by the Do, as well as 2
motions by the P before the Court
today. The Do CPPA brings a Motion
pursuant to R. 21 to strike portions
of the Do's, which claim numbers are
Do paragraphs, and also seeks to
strike the Do's on the basis that
the limitation period has passed.
The Crown supports the CPPA motion
to strike on the basis that the*

ONTARIO
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PROCEEDING COMMENCED AT
TORONTO

MOTION RECORD
(for motion returnable April 22, 2013)

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Police Association, Shaun Filman, Karen
German, Jim Styles, and Marty McNamara

pleading is statute-based. The Crown advises that they will also be bringing a motion to strike the Claim pursuant to R. 21, which motion materials are to be served shortly.

The T1 seeks to have a non-lawyer, agent, Mr. Jupp, represent him. However, the T1 failed to appear in person today, although he was advised to do so in writing, by Mr. Stoot, Counsel for the OPPA, on Feb. 13, 2013. This was reinforced by Mr. Stoot, who e-mailed Mr. Jupp last week to require Mr. Jack's presence in Court today. The T1 also seeks, by cross-motion a waiver of Court fees & amendments to the SC.

This matter cannot proceed without Mr. Jack present in Court. Further the matter is set down for 50 min. which is not sufficient time for all motions.

(P) All motions, including the motion to be brought by the Crown, are to be spoken to on May 7, 2013 at 9:30 am in Courtroom 801 before Madam Justice Fow, to obtain

a date. The motions to strike of the OPPA and the Crown, as well as the ^{cross} motions of the unrepresented Π will, in the estimation of the parties, require 4 hours. I am of the view that that will give sufficient time for all motions to be heard.

The date to be scheduled on May 7 will be peremptory to Mr. Jack, who must be, himself, present in court, preferably with a lawyer.

Mr. Gapp advises that Mr. Jack now resides in Israel. He will provide Mr. Jack's mailing address, telephone number & email address in Israel to the Court & to counsel for the Δ s by the end of the business day today. The Δ s may serve the Π in Israel by joinder.

Costs of today's motion are left to the Motions Judge.

[Signature]